

REMARKS

Claims 1-39 are all the claims pending in the application. By this Amendment, Applicant amends claims 1-39 for clarity.

Preliminary Matters

The instant application claims priority from Japanese Application 2004-093459. However, the Examiner has not indicated acknowledgement of the claim to foreign priority and also has not indicated any reasons why the priority has not been acknowledged. PAIR confirms that the certified copy of the priority document has been received.

Accordingly, Applicant respectfully requests the Examiner to indicate the receipt of the certified copies of the priority document and the claim to foreign priority by marking boxes 12, 12(a), and 12(a)(1) on the PTOL-326.

Claim Rejections under 35 U.S.C. § 101

Claims 5-16, 32, 34-39 are rejected under 35 U.S.C. § 101.

In view of the self-explanatory amendments to claims 5-16, 32, and 34-39, Applicant respectfully submits the rejection under 35 U.S.C. § 101 is overcome and requests this ground of rejection be withdrawn.

Claim Rejections under 35 U.S.C. § 112

Claims 1-39 are rejected under 35 U.S.C. § 112, second paragraph.

Claims 1-39 have been amended for clarity. It is respectfully requested this ground of rejection be withdrawn.

Claim Rejections under 35 U.S.C. § 103

A. Claims 1-4, 8-20, and 23-39 are rejected under 35 U.S.C. § 103 as being unpatentable over Ruttenberg (U.S. Publication No. 2002/0083185).

Claim 1 recites among other elements: “a first section that ... stores an expiration time of said tentatively reserved time period indicating a valid time, during which said tentative reservation request is valid.”

Ruttenberg teaches transferring the data to the available resources. (Abstract). Ruttenberg does not teach or suggest “an expiration time of said tentatively reserved time period indicating a valid time, during which said tentative reservation request is valid.” Ruttenberg suffers from the problems (i) and (ii) described on pages 7-10 of the present application.

To the contrary, claim 1 recites the tentative reservation request tentatively reserves the free time of the resources such that the tentatively reserved time period has an expiration time set which indicates a validity of the tentative reservation request.

Accordingly, with the intention, when the expiration time lapses and no job is actually requested to be executed within the tentatively reserved time periods, the tentatively reserved time periods are released and can be used by other tentative reservation requests, as recited, for example, in claims 2 and 4. (Please see the explanation on page 22, lines 11-18, and pages 28-30 of the present application).

Accordingly, Applicant respectfully submits that Ruttenberg does not teach or suggest at least “a first section that ... stores an expiration time of said tentatively reserved time period indicating a valid time, during which said tentative reservation request is valid.”

Accordingly, **claim 1 and dependent claims 2-4** are patentable over Ruttenberg.

Claims 8, 17, 23, 32-34, and 38 recite features similar to those discussed above with respect to claim 1. Therefore, **claims 8, 17, 23, 32-34, and 38** are patentable at least for similar reasons as discussed above with respect to claim 1.

Dependent **claims 9-16, 18-20, 24-31, 35-37, and 39** are patentable at least by virtue of their respective dependencies.

B. Claims 5-7, 21, and 22 are rejected under 35 U.S.C. § 103 as being unpatentable over Ruttenberg and Bishop (U.S. Patent No. 5,826,082).

Claims 5, 7, and 21 recite features similar to those discussed above with respect to claim 1. Bishop does not cure any deficiency of Ruttenberg. Therefore, **claims 5, 7, and 21** are patentable over Ruttenberg and Bishop, at least for the reasons similar to those discussed above regarding claim 1.

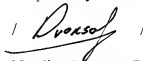
Dependent **claims 6 and 22** are patentable at least by virtue of their respective dependencies.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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